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12 UNITED STATES DISTRICT COURT
13 EASTERN DISTRICT OF WASHINGTON

14 UNITED STATES OF AMERICA,

15
16 Plaintiff,

17 v.
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19 RONALD CRAIG ILG,

20 Defendant.
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Case No. 2:21-cr-00049-WFN

**DEFENDANT’S MOTION TO
CONTINUE SENTENCING
HEARING**

Without Oral Argument:

January 18, 2023 at 6:30 pm

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24 COMES NOW, Defendant Ronald C. Ilg, MD (“Dr. Ilg”), by and through
25 his attorneys of record Carl J. Oreskovich and Andrew M. Wagley of Etter,
26 McMahon, Lamberson, Van Wert & Oreskovich, P.C., and respectfully submits
27 the following Motion to Continue the Sentencing Hearing approximately one
28 week to ten days based upon the reasons stated herein. Furthermore, Dr. Ilg
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1 respectfully requests that this Motion be considered without oral argument, on
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3 an expedited basis if possible.

4 In general, “[t]he court must impose sentencing without unnecessary
5 delay.” Fed. R. Crim. P. 32(b)(1). However, “[t]he court may, for good cause,
6 change any time limits” for sentencing. Fed. R. Crim. P. 32(b)(2). “A
7 sentencing court has broad discretion respecting the scheduling of sentencing
8 proceedings.” *United States v. Prescott*, 920 F.2d 139, 146 (2d Cir. 1990).
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13 Dr. Ilg’s Sentencing Hearing is currently scheduled for January 24, 2023.
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15 Dr. Ilg is detained in the Spokane County Jail pending sentencing. Previously,
16 the Defense requested an unopposed continuance to obtain the Clinical
17 Treatment Summary of Dr. Ilg by Jennifer Van Wey, Psy.D. On January 12,
18 2023, the parties filed their respective Sentencing Memorandums. (*See* ECF No.
19 153; ECF No. 156.) Dr. Ilg, by and through counsel, now respectfully requests a
20 brief extension of the Sentencing Hearing based upon the following reasons.
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25 First, one of the attorneys for Dr. Ilg—Andrew Wagley—is currently in a
26 multi-week jury trial in Grant County, WA.¹ This trial commenced on January
27 10, 2023 and the Jury has been instructed that trial may continue through
28 Monday, January 23, 2023. Although this trial may end before January 23, the
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32 ¹ *Janke v. Camacho*, Grant County Superior Court Case No. 20-2-00581-13.

1 scheduling conflict previous co-counsel from substantively preparing for the
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3 Sentencing Hearing and/or drafting portions of the Response to the United
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5 States' Sentencing Memorandum in the interim while in an out-of-town trial.

6 Second, the United States' Sentencing Memorandum is approximately
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8 twenty pages in length, cites to multiple portions of the Court File (including
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10 multiple bates numbers of discovery incorporated by virtue of the citation to
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12 ECF No. 89), and attaches Exhibits A-J (which includes multiple audio
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14 recordings of jail phone calls). The United States' Sentencing Memorandum not
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16 only requests an upward variance / departure, but also seeks a \$250,000 fine and
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18 over \$30,000 in restitution. (*See* ECF No. 156.) The Defense respectfully
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20 requests the brief continuance to fully respond to the United States' Sentencing
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22 Memorandum and arguments presented therein. Dr. Ilg is in agreement with this
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24 continuance and requests the same.

25 Third, the United States, by and through Assistant United States Attorney
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27 ("AUSA") Rich Barker, has been advised of this continuance request. AUSA
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29 Barker has reserved the right to object to this continuance request based upon
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31 the victims' respective position(s). However, this continuance request is only
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for a brief period of time—approximately one week to ten days—and the new
date would be subject to the availability of the Court, counsel, and the victims.

1 Based upon the foregoing, Dr. Ilg respectfully requests that this Court
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3 continue the Sentencing Hearing approximately one week to ten days. Dr. Ilg
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5 further requests that the Court continue the deadline to file Responses to the
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7 Sentencing Memorandums to one week prior to the new Sentencing Hearing.

8 RESPECTFULLY SUBMITTED this 16th day of January, 2023.

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10 By: /s/ Andrew M. Wagley

11 Carl J. Oreskovich, WSBA #12779

12 Andrew M. Wagley, WSBA #50007

13 *Attorneys for Ronald C. Ilg, MD*
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CERTIFICATE OF SERVICE

I hereby certify that on January 16, 2023, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF System, which will send notification of such filing to all attorneys of record.

EXECUTED in Ephrata, Washington this 16th day of January, 2023..

By: /s/ Andrew M. Wagley
Andrew M. Wagley